

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SPADA INVESTMENTS, LLC, an Oregon
limited liability company,

Plaintiff,

v.

FRANK M. SHIGIO, a single man,

Defendant.

Case No. C07-5228RJB

ORDER DENYING JOINT MOTION
FOR ORDER STAYING
PROCEEDINGS


This matter comes before the Court on the Notice of Settlement and Joint Motion for Order Staying Proceedings, filed on September 11, 2007. Dkt. 18. The parties have entered into a written Settlement Agreement, contingent upon performance upon its terms on or before November 27, 2007. *Id.* The parties have moved the Court for an order striking the trial and pretrial dates set forth in the August 15, 2007 Minute Order (Dkt. 16), and staying any further proceedings pending completion of the transaction called for in the Settlement Agreement. *Id.*

The trial date is currently set for January 7, 2008. Dkt. 16. The Court denies the parties motion to strike the trial and pretrial dates because the Settlement Agreement is contingent upon performance, and the settlement may or may not be finalized on or before November 27, 2007. Dkt.

1 18. The parties are not precluded from filing a motion requesting an extension of specific pretrial
2 dates. The parties should notify the Court as soon as possible if and when a settlement occurs.

3 Therefore, it is hereby ORDERED that the Joint Motion for Order Staying Proceedings is
4 REJECTED without prejudice.

5 DATED this 12th day of September, 2007.

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8 ROBERT J. BRYAN
9 United States District Judge
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